

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10066-MEL
)	
JAMIE EDELKIND,)	
defendant.)	
_____)	

DECLARATION OF RICK SKOGG

I, Rick Skogg, Vice President, Lehman Brothers Bank FSB ("LEHMAN"), make this declaration under oath, under the pains and penalties of perjury.

1. I am a Vice President of LEHMAN. I make this declaration based upon my own knowledge of the operations of Aurora Loan Services LLC (f/k/a Aurora Loan Services Inc.) ("AURORA") and LEHMAN, and based upon my review of business records of LEHMAN and AURORA.

2. AURORA is a wholly-owned subsidiary of LEHMAN. AURORA provides a variety of loan-related services to LEHMAN, including loan underwriting as well as loan administration activities.

3. AURORA serves exclusively as agent of LEHMAN, in connection with the purchase by LEHMAN of residential mortgage loans. LEHMAN not AURORA funds the purchase of all such residential mortgage loans; the operative loan documents, including a promissory note and security instrument, are in favor of LEHMAN not AURORA or are assigned to LEHMAN not AURORA, and thus the legal and beneficial owner of all loans closed or purchased by LEHMAN through the facilitating actions of AURORA is, in every case,

LEHMAN.

4. Based upon my review of business records of LEHMAN and AURORA, I can state that on or about September 28, 2004, LEHMAN purchased from Fairmont Funding, Ltd. a promissory note, in the face amount of \$3,300,000.00, payable by Linda Edelkind, which was secured by a mortgage on a residence located at 940 Nantasket Avenue, Hull, Massachusetts (the "Edelkind Loan").

5. AURORA conducted certain due diligence on the Edelkind Loan closing package, prior to the closing of the Edelkind Loan and notified Fairmont Funding, Ltd. that, subject to specified conditions, the proposed loan was acceptable for purchase by LEHMAN. After the closing of the Edelkind Loan and its subsequent purchase by LEHMAN, AURORA retained responsibility for servicing the Edelkind Loan.

6. The attached documents, marked as Exhibits A, B, C, D and E are true and correct copies of business records that were kept and maintained in the ordinary course of business of AURORA and LEHMAN.

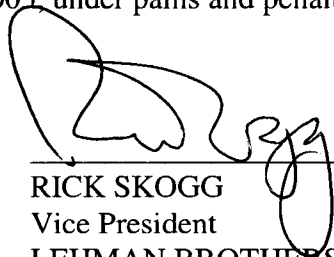
7. Attached as Exhibit A is a true and correct copy of a Lehman Brothers Bank FSB Loan Purchase Agreement, dated August 8, 2001, together with an addendum of the same date, reflecting LEHMAN's agreement with Fairmont Funding, Ltd. Also enclosed is a true and correct copy of a "Dual Agreement Authorization" which authorized AURORA to provide to LEHMAN, financial information about Fairmont Funding, Ltd., which information Fairmont Funding, Ltd. had previously provided to AURORA.

8. Attached as Exhibit B is a true and correct copy of a Mortgage Warehouse Funding letter to LEHMAN, from Independence Community Bank, dated September 2, 2004.

That letter and its attached Shipping Schedule, notify LEHMAN of the tender to LEHMAN of a loan identified as "EDELKIND" with an original face value of \$3,300,000. This Mortgage Warehouse Funding letter notified LEHMAN that "[t]he purchase price for all mortgage loan(s) accepted for purchase must be wired, in immediately available funds only" to Independence Community Bank, "FAIRMONT FUNDING, LTD. - Loan Purchase Clearing Account."

9. Attached as Exhibit C is a true and correct copy of the LEHMAN Purchase Advice for Loan # 0018052076. This Purchase Advice reflects that the Edelkind Loan was to be purchased by LEHMAN on September 28, 2004. Payment for that loan was transmitted by wire from account 066-616549 to the loan seller's bank, Independence Community Bank, on the same day. (See Exhibit D for a true and correct copy of Wiring Instructions). LEHMAN deposited the funds into account 066-616549 that were used to pay for the Edelkind Loan. (See Exhibit E for a true and correct copy of the deposit).

Signed this day, June 30, 2005, under pains and penalties of perjury.



RICK SKOGG
Vice President
LEHMAN BROTHERS BANK FSB
10350 Park Meadows Drive
Littleton, CO 80124